

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137573/PS/2023

Date registered valid: 7 July 2023

Proposal: Prior Approval for the undertaking of repairs to bridge and abutments and infilling of the void below the existing bridge

Address: Rondin Road Underbridge, Rondin Road, Manchester, M12 6BF

Ward(s): Ardwick Ward

Applicant: Network Rail

Agent (if any): Katherine Borton CBRE Ltd

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: No objection

Date of recommendation: 14 August 2023

Application details

Type of application: Prior Approval (Other)

Development type: Notifications

Standard consultations:

Printed: 31 July 2023 Expired: 21 August 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to an operational railway line incorporated within a raised embankment circa 4.3 metres high adjacent to the bridge. The existing bridge comprises metal panels to each side, supported by walls and supporting piers of masonry construction. The bridge straddles a service road running between Gorton Lane and Rondin Road. The route is sign posted by Network Rail as providing access to the Gorton Road Rail Depot.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is situated within an industrial area to the south of Gorton Lane . The immediate context comprises industrial uses, a depot, and a scrapyards on Gorton Lane with a large areas of vacant cleared land formerly used for industrial purposes and the Ardwick Train Maintenance Depot beyond to the south of the elevated rail line.

From nearby roads, the bridge is not highly visible due to the intervening land uses and associated boundary treatment and vegetation.

Description of development

Prior Approval is sought to undertake repair work to the masonry abutments, including treating spalled areas with replacement brickwork to match existing, repairs fractures within the brickwork , pointing areas of open joints, , removal of a section of coping from the abutment wall, removal of vegetation from the masonry together with the treatment of surface areas covered by moss and algae and repairs of any defects, and removal of all vegetation within 3m of the structure.

Redundant service pipes are to be removed prior to the infilling of the associated resultant void. Works would also include the infilling of the void below the bridge.

The works are required as a consequence of the general condition of the bridge and abutments. The application is made pursuant to Part 18, Class A of the General Permitted Development Order 2015.

Consultations & Notification Responses

HS2- Have no objections.

Highways Services -The application is for prior approval for the infill of a railway bridge over a private road. MCC Highways do not have any comment on this development on the basis that Network Rail own the bridge and the road passing under the bridge.

Policy

The following policy and guidance is considered relevant to the consideration of this application: -Policies DM1 and SP1 of the Core Strategy. -National Planning Policy Framework (NPPF).

Issues

Principle

The proposed works are permitted development under Part 18, Class A (Miscellaneous development - development under local or private Acts or Order) of the Town and County Planning (General Permitted Development) Order 2015. Works are permitted but not limited to the construction of the railway, but including 'all other acts necessary for making, maintaining, altering or repairing and using the railway'. Prior approval should only be considered on the basis of the design and siting of the proposed works. Under Condition A2, prior approval cannot be refused unless the Council is satisfied that the development ought to be and could reasonably be carried out elsewhere on the land, or the design or external appearance would injure the amenity of the neighbourhood and is reasonable capable of modification so as to avoid such injury. The proposed development will facilitate railway works.

Impact on the Highway

The bridge straddles a Network Rail route from Gorton Lane to the Ardwick Train Maintenance Depot. Ardwick Rail, which has become overgrown at the Rondin Road end of the route through lack of regular use. Whilst Highways have made comments surrounding the licensing requirement, these are not considerations as part of this application. An appropriate informative has however been included.

Visual Amenity

Due to the existing industrial backdrop and lack of visibility, due to partially obscured views from the surrounding area, it is not considered that there would be any significant or harmful impact to visual amenity or the appearance of the street-scene.

Climate Change

The proposal will have no material impact upon climate change.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality

Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The City Council is satisfied that this development has been sited and designed to minimise any impact to the amenity of the neighbourhood or the operation of the highway. Accordingly, the proposal complies with policies SP1 and DM1 of the Core Strategy. The application is hereby granted in accordance with the submitted information and details shown on drawings numbered :
Ardwick PPA2 0.0421 Locational Plan ref: 0309923-1.
Ardwick PPA2 0.0421 Locational Plan ref: 0309923-2.
PPA2/1 Rondin Road Underbridge Defect and Repair Works Sheet 1 of 2 ref: 10047371-ARC-11-XX-DR-CE-000010 rev.A01.
PPA2/1 Rondin Road Underbridge Defect and Repair Works Sheet 2 of 2 ref: 10047371-ARC-11-XX-DR-CE-000011 rev.A01.
PPA2/1 Rondin Road Underbridge Proposed General Arrangement plan ref: 10047371-ARC-11-XX-DR-CE-000020 rev.A01.
PPA2/1 Rondin Road Underbridge Proposed Elevations plan ref: 10047371-ARC-11-XX-DR-CE-000021 rev.A01.
PPA2/1 Rondin Road Underbridge Proposed Sections plan ref: 10047371-ARC-11-XX-DR-CE-000022 rev.A01.
PPA2/1 Rondin Road Underbridge Waterproofing and Drainage plan ref: 10047371-ARC-11-XX-DR-CE-000025 rev.A01.
PPA2/1 Rondin Road Underbridge Planning Drawing ref: 10047371-ARC-11-XX-DR-CE-000030 rev.A01.
PPA2/1 Rondin Road Underbridge Planning Drawing ref: 10047371-ARC-11-XX-DR-CE-000035 rev.A01.

received by the City Council as Local Planning Authority on 7th July 2023

Informatives

1) Detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA